



82966LMB
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine J. Landry-Coltrain, et al

SMALL POROUS POLYESTER
PARTICLES FOR INKJET USE

Serial No. 10/028,130

Filed 20 December 2001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 1774

Examiner: Pamela R. Schwartz

I hereby certify that this correspondence is being
deposited today with the United States Postal
Service as first class mail in an envelope addressed
to Commissioner For Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Christine Polhurst
Christine Polhurst

February 19, 2004
Date

RECEIVED

FEB 27 2004

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 10/028,129. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any patent granted on the second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

05/24/2004 BHARRIS: 00000001 050225 10028130
Sale Ref: 00000001 DAH: 050225 10028130
01 FC:1814 110.00 DA



jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ The undersigned is an attorney of record. (If this box is not checked do not use this form)

2/19/04
Date
Telephone: 585-477-7418
Facsimile: 585-477-1148
/ct

Lynne M. Blank
Lynne M. Blank, Reg. No. 42,334
Attorney of Record
Registration No. 42,334

☒ Please charge the fee to Eastman Kodak Company Deposit Account 05-0225. (A duplicate copy of this request is enclosed)